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INDIAN RIVER TRANSPORT CO.

11
12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA
14 SOUTHERN DIVISION

15 CHARLES W. COOLEY, on behalf
16 of himself and all others similarly
situated,,
17

Plaintiff,

18 v.

19 INDIAN RIVER TRANSPORT CO.,
20 a Florida Corporation, and DOES 1-
10, inclusive,
21

Defendants.

Case No. 8:17-cv-00932-DOC-JCG

**STIPULATED PROTECTIVE
ORDER FOR CLASS LIST**

1. PURPOSES AND SCOPE

This Stipulation and Order are intended to cover the class list that Plaintiff has requested from Defendant ("Class List"). The protections conferred by this Stipulation and Order also cover any information copied or extracted from the Class List. Any use of the Class List at trial shall be governed by a separate agreement or order. Defendant wishes to designate the Class List as "CONFIDENTIAL." Accordingly, the parties hereby stipulate to and petition the court to enter the following Stipulated Protective Order.

2. GOOD CAUSE

This action is likely to involve employee lists for which special protection from public disclosure and from use for any purpose other than prosecution of this action is warranted. Such confidential information consists of confidential employee information. Accordingly, to expedite the flow of information, to facilitate the prompt resolution of disputes over confidentiality of discovery materials, to adequately protect information the parties are entitled to keep confidential, to ensure that the parties are permitted reasonably necessary uses of such material in preparation for and in the conduct of trial, to address their handling at the end of the litigation, and serve the ends of justice, a protective order for such information is justified in this matter. It is the intent of the parties that information will not be designated as confidential for tactical reasons and that nothing be so designated without a good faith belief that it has been maintained in a confidential, non-public manner, and there is good cause why it should not be part of the public record of this case.

3. CONFIDENTIAL DESIGNATION

Defendant may mark the Class List as "CONFIDENTIAL."

Material marked "CONFIDENTIAL" may be used only for the purpose of prosecution, defense, discovery, mediation and/or settlement, or appeal of this Action, and not for any other purpose.

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1 4. DURATION

2 Even after final disposition of this litigation, the confidentiality
3 obligations imposed by this Order shall remain in effect. Final disposition shall be
4 deemed to be the later of (1) dismissal of all claims and defenses in this action, with or
5 without prejudice; and (2) final judgment herein after the completion and exhaustion
6 of all appeals, rehearings, remands, trials, or reviews of this action, including the time
7 limits for filing any motions or applications for extension of time pursuant to
8 applicable law.

9 5. CLASS LIST SUBPOENAED OR ORDERED PRODUCED IN OTHER
10 LITIGATION

11 If a Party is served with a subpoena or a court order issued in other
12 litigation that compels disclosure of any information or items designated in this action
13 as “CONFIDENTIAL” that Party must:

14 (a) promptly notify in writing all other Parties. Such notification shall
15 include a copy of the subpoena or court order;

16 (b) promptly notify in writing the party who caused the subpoena or
17 order to issue in the other litigation that some or all of the material covered by the
18 subpoena or order is subject to this Protective Order. Such notification shall include a
19 copy of this Stipulated Protective Order; and

20 (c) shall not produce any information designated as “CONFIDENTIAL”
21 before a determination by the court from which the subpoena or order issued, unless
22 the Party has obtained the Designating Party’s permission.

23 6. UNAUTHORIZED DISCLOSURE OF CLASS LIST

24 If Plaintiff learns that, by inadvertence or otherwise, he has disclosed the
25 Class List to any person or in any circumstance not authorized under this Stipulated
26 Protective Order, Plaintiff must immediately (a) notify Defendant of the unauthorized
27 disclosures, (b) use its best efforts to retrieve all unauthorized copies of the Class List,
28 and (c) inform the person or persons to whom unauthorized disclosures were made of

1 all the terms of this Order.

2 7. FILING CLASS LIST

3 Without written permission from Defendant or a court order secured after
4 appropriate notice to all interested persons, Plaintiff may not file in the Class List on
5 the public record in this action. A Party that seeks to file under seal any Class List
6 must comply with Civil Local Rule 79-5.

7
8 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

9
10 DATED: November 1, 2017

DESAI LAW FIRM, P.C.

11
12 By: /s/ Adrianne De Castro

13 Aashish Y. Desai
14 Adrianne De Castro
Attorneys for Plaintiff

15
16 DATED: November 1, 2017

LITTLER MENDELSON, P.C.

17
18 By: /s/ Britney Y. Torres

19 Britney Y. Torres
20 Attorneys for Defendant

21
22 **IT IS SO ORDERED.**

23 DATED: November 06, 2017

24 
Jay C. Gandhi
25 United States Magistrate Judge